



Atty. Dkt. No. 036762-0103
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathleen K. MARTIN

Title: PROPHYLACTIC DEVICE

Appl. No.: 10/724,864

Filing Date: 12/02/2003

Examiner: Unknown

Art Unit: 3764

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The listed documents came to Applicant's attention during a search of the corresponding PCT application. A copy of the International search report setting forth the portion of each reference considered relevant by the examiner is attached. US 4,834,113, US 5,638,829, US 4,862,901, US 5,146,930 and US 5,535,757 cited in the International search report, but not listed on Form PTO/SB/08, were cited by Applicant in an Information Disclosure Statement dated April 16, 2004.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 15, 2005

By Mary Michelle Kile

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: February 15, 2003 (use as many sheets as necessary) | | | | Application Number 10/724,864 Filing Date 12/2/2003 First Named Inventor Kathleen K. MARTIN Group Art Unit 3764 Examiner Name Unknown Attorney Docket Number 036762-0103 | |
| Sheet | 1 | of | 1 | | |

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
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| Examiner Signature | | Date Considered | |
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO)

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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